

RICHARD JASPER

Attorney at Law
276 FIFTH AVENUE
SUITE 501
NEW YORK, NEW YORK 10001
Phone (212) 689-3858
Fax (212) 689-0669

August 11, 2011

Honorable Sterling Johnson, Jr.
United States District Judge
United States Courthouse
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. John Burke
09Cr.0135(SJ)

Dear Judge Johnson:

I am co-counsel for defendant John Burke in the above captioned matter. This case is scheduled for trial September 6, 2011. I respectfully submit this letter to request an emergency pretrial conference for Monday, August 15, 2011, or Tuesday, August 16, 2011. An urgent matter has surfaced regarding the defendant's access to 3500 material in this case. The government has requested that no 3500 material be provided to the defendants to review in the local detention facilities (MDC.) This procedure would prevent counsel from fulfilling its obligation under the Sixth Amendment of the United States Constitution. The 3500 material totals literally thousands of pages of prior testimony of approximately six or seven cooperating witnesses. The testimony spans at least four federal trials. Defense counsel urgently needs the defendant's input regarding these testimony of the cooperating witnesses.

If defense counsel is present at MDC merely to have defendant read testimony, enormous amounts of precious time will be wasted in these "reading sessions" at the MDC. For this reason I request a pretrial conference at the Court's earliest convenience.

Respectfully submitted,

/S/
Richard Jasper, Esq.